

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio



United States of America

v.

Joshua Lee McMillen

Date of Original Judgment: 04/15/2022

Date of Previous Amended Judgment: _____

(Use Date of Last Amended Judgment if Any)

Case No: 2:21-cr-00232-001

USM No: 67656-061

Laura E. Byrum

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 27 months is reduced to 21 months.

(See Page 2 for additional parts. Complete Parts I and II of Page 2 when motion is granted)

Mr. McMillen was sentenced to 27 months in case 2:21-cr-232. In case 2:08-cr-93,(1) he was sentenced to 12 months imprisonment, with 8 months concurrent to case numbers 2:20-cr-215 and 2:21-cr-232 and 4 months consecutive to case numbers 2:20-cr-215 and 2:21-cr-232. In case number 2:20-cr-215, Mr. McMillen was sentenced to 12 months imprisonment, with 7 months concurrent to case numbers 2:08-cr-93(1) and 2:21-cr-232 and 5 months consecutive to case numbers 2:08-cr-93(1) and 2:21-cr-232. The sentence imposed resulted in a total of 36 months imprisonment on all three cases.

Mr. McMillen is eligible for a reduction to 21 months imprisonment in case 2:21-cr-232, which would result in a total of 30 months imprisonment on all three cases. It is anticipated that Mr. McMillen will be eligible for immediate release upon reduction of the sentence in 2:21-cr-232 to a sentence of 21 months.

Except as otherwise provided, all provisions of the judgment dated 04/15/2022 shall remain in effect.

IT IS SO ORDERED.

Order Date: 02/12/2024

s/Edmund A. Sargus, Jr.

Judge's signature

Effective Date: _____
(if different from order date)

Edmund A. Sargus, Jr., District Judge

Printed name and title